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Vol. 29, No. 3, October 3, 1980

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Recommended Citation

University of Michigan Law School, "Vol. 29, No. 3, October 3, 1980" (1980). *Res Gestae*. Paper 446.
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October 3, 1980

The University of Michigan Law School

1981

8 Pages

Allen: low prof pay

By Richard Cauley

"THE PROBLEM OF DISPARITY of income between successful practitioners and law professors and judges is one of the great issues in the legal profession," said Professor Francis Allen, speaking at the September 25 Phi Alpha Delta luncheon. "There is a problem of law schools being able to recruit and retain teachers of quality."

Professor Allen, in his talk entitled "On Being a Law Professor in the 1980's" discussed the two issues that law professors worry about the most: law students and money.

He expressed concern about the rate at which salaries for professors and practitioners are diverging. At retirement, according to Allen, successful lawyers will be making 4 to 6 times as much as their colleagues in academia. Thus, "for the first time in my recollection, the best talent is not going to the University or to the bench."

THIS DISPARITY HAS LED, said Allen, to an alarming increase in the rate of full-time law professors becoming not much more than part-time academics who turn to outside opportunities in order to supplement their income. This trend is not so pronounced at Michigan, evidently, because of our suburban setting, but, according to Allen, at big-city schools, it has become a serious problem. "It's an addiction," he said.

Allen then turned to the other primary concern of law professors: law students. "We're all student watchers," he said.

"THERE HAS NEVER been so dramatic a change in student character than that dividing you from the group in the Quadrangle a dozen years ago during the height of the Vietnam controversy."

He described some students of that era as having "closed their minds and made impossible an educational experience," but worries about the lack of social purpose in today's law students. "Law students are reflective of the society from which they spring. Society today has lost interest in social purposes; people doubt that individual effort affects social outcome. I think that is wrong, but I can understand it."

Allen emphasized that law schools must both ideals and the mechanics of the law a deplored the tendency of "some lawyers to turn law schools into institutes of instant practicality," and quoted Karl Lewellyn to illustrate his point;

"Technique without value is dangerous. Values without technique is a mess."

By Richard Cauley

The only chance that many law students will ever have to publish an article in a legal journal comes during their tenure with the Michigan Law Review, the University of Michigan Journal of Law Reform, or the International Law Yearbook. In addition to providing valuable experience in writing and research, it is undeniable that membership on such journals is a distinct advantage when applying for

ICLE talks in Hutchins

Antitrust and labor law, international law and environmental regulation are among the topics of a series of University of Michigan fall faculty workshops offered by the Institute of Continuing Legal Education (ICLE).

The following workshops featuring U-M law faculty members will be held from 9 to 11:45 a.m. at Hutchins Hall on the U-M Law School campus:

On Oct. 4 Prof. Theodore J. St. Antoine speaks on "The Past Year's Labor Law Developments."

On Oct. 11 Prof. Michael Rosenzweig discusses "SEC Regulation of Attorneys and Accountants Engaged in Securities Practice;" On Oct. 25 Prof. Joseph L. Sax speaks on "Environmental Protection Law in Michigan;" and on Nov. 15 Prof. Marcus L. Plant discusses "Torts as a Growth Industry."

ICLE IS a joint unit of the U-M and Wayne State University law schools and the state bar of Michigan. Further information is available from ICLE, Hutchins Hall, Ann Arbor, Mich. 48109 (phone 313-764-0533).

Here are some other upcoming ICLE programs:

The fifth annual "Federal and Michigan Tax Institute" is scheduled for Oct. 16-17 in Southfield.

"Real Estate—Commercial Leases" is the subject of programs Oct. 24 in Grand Rapids and Oct. 30 in Southfield.

SEPARATE SERIES of seminars in various Michigan locations throughout October and November are titled "How to Handle a Consumer Bankruptcy Case," "How to Try a Civil Jury Case" and Selected Problems in Business Planning."

Other programs offered in Michigan cities during November, December, and January include "How to Probate an Estate in Michigan," "Tax Law for the General Practitioner," "Solving Real Estate Title Problems," "Federal Civil Practice," "Divorce Trial Techniques," and "How to Introduce Evidence in Court: Impeachment, Character Evidence and Rehabilitation."

Law Journals pick 2nd-year members

jobs. As a result, the selection processes for these organizations is a matter of great interest and wild rumors, especially among the members of the first-year class. This article is intended to provide an insight into that process and an overview of these publications' activities.

As is well known, most of the members of the Law Review are selected on the basis of first-year grades. According to Kent Syverud, Editor-in-Chief, there is no set G.P.A. cutoff point. "It's not so much of a grade cutoff as a class rank cutoff." The editorial board decides the total number of second-year students the Review can handle, selects a certain number (which varies from year to year) from the joint Journal-Review writing competition, and then takes the balance from the top of the class as whole. As a result of the first-year curve, those selected normally have a first-year G.P.A. of between 3.7 and 3.8 and above, though the lower limit has been dropping in recent years.

THIS YEAR, of 37 students invited, 8 were selected on the basis of writing competition entries and 29 were picked on the basis of grades. Two turned down the invitation, bringing the total number of second-year members to 35.

The joint Journal-Review writing competition last year provided those who finished their entries with a better than even chance of being accepted by one of the two magazines. The competition consists of the production of a 12-page memorandum on one of three selected topics. The applicant is given three weeks to complete the entry, most taking the first three weeks of summer vacation.

This past year, 100 people signed up to take part in the competition, but only 33 completed their entries. Of that 33, however, 8 were selected for the Law Review and 10 out of the 19 who submitted their entries to the Journal of Law Reform were accepted. At least on the part of the Review, this represents a conscious effort to increase the number of students selected through the writing competition. (The previous year, only 4 were selected on that basis out of a total of 48 entries.)

WITH REGARD to the Journal of Law Reform, the application procedure preferred by most law students remains the submission of case club briefs. One hundred and fifteen briefs were submitted last year (down from more than 160 the year before) and of those, 48 were accepted. Added to those 10 people selected through the joint writing competition, the total number invited to join the Journal was 58, of whom 45 accepted the offer.

The International Law Yearbook has a different method of selection than the other two publications. Each applicant is asked to fill out a questionnaire providing information about courses he has taken or his experience in the area of international law. Each must then submit two writing samples: one legal (usually the case club brief) and one non-legal (normally an undergraduate paper). This past year, the yearbook received 50 applications. Twenty-six were accepted, with 15 eventually joining the staff (the balance joining Review or Journal).



R.G. Photo by Paul Engstrom

Syverud

Once the second-year stats have been selected, in late summer for the Review and Journal, in April for the Yearbook, the three publications

See Page 2

Self-defense class

Women interested in greater personal safety now are being offered a self-defense class held right in the Lawyer's Club.

The class, offered by George Cole, a brown-belt ju-jitsu, meets every Monday and Wednesday from 7:00-8:30 p.m. in the Lawyer's Club lounge. It then moves to the mat room under "G" section.

The class is free and all are welcome.

Says Cole, "The class is for anybody who wants to start learning how to cope with aggression. Not just women."

Law in the Raw

Compiled by Matthew Kiefer

Heavenly Bodies

Jack Nageley, the Florida attorney who was recently attempting to defend an accused rapist on the basis of adverse astrological conditions, is being investigated by the state's attorney's office for incompetence. Nageley has withdrawn from the case and says he plans to resign from the bar as well.

—*American Lawyer*, June, 1980

Raw on Reserve

A controversy is brewing this term at Western New England College of Law over the fact that Playboy magazine is available on reserve at that school's law library. The publication, which is paid for by the student government, was placed on reserve at the request of students who complained that it kept disappearing from the shelves. Op-

position to its presence is being spearheaded by the Women's Law Association, on the grounds that it is an inappropriate use of funds derived from the entire student body to satisfy the desires of only a few. "It's pretty seedy," one woman law student recently said, "to find Playboy in the library when you can't even find all the reporters you need."

—*Lex Brevis*, August 29, 1980

Kingsfield Returns

A public television station in Chicago is attempting to purchase several previously aired episodes of the TV series Paper Chase, which CBS cancelled last year because of low ratings. Stating that the show was "something of quality," station V.P. Richard Bowman thinks it would be "ideal for public television."

—*American Lawyer*, June, 1980

Drug-Related Incident?

Thirty-six year old D.C. attorney R. Keith Stroup, former director of the National Organization for the Reform of Marijuana Laws (NORML) and counsel for drug-related and left-wing causes, has a new client—Rep. Richard Kelley. The Florida Republican has retained Stroup's firm to assist in defending him against charges growing out of the

F.B.I. ABSCAM operation (whose agents videotaped Kelley stuffing \$25,000 in cash into his pockets and asking if any bulges showed). In explaining the decision to take the case, one attorney in the Stroup firm commented, "I've represented murderers and rapists. I guess I can represent a Republican."

—*American Lawyer*, June, 1980

David and Goliath

When the large Chicago firm of Jenner & Block signed on six years ago as lead counsel for a small communications company in a giant anti-trust suit against A.T.&T., they regarded the case as "almost pro bono." They weren't even sure their client, M.C.I., would survive for the length of time the suit would require. Now it looks as though the law firm may net \$92.5 million in contingent fees from the case, provided a record jury award returned last summer in M.C.I.'s favor is upheld.

—*Legal Times of Washington*, July 21, 1980

Quote of the Week

"The pursuit of the truth will set you free—even if you never catch up with it."

—former University of Michigan Law student Clarence Darrow

Review

(from page 1)

operate in much the same manner. Topics are generated and approved by the editorial boards, are "prelimined" by the second-year students (preliminary research is done to determine whether there is any law on the subject or the topic has already been written on) and then opened up to selection by the junior staffs. Notes may also be written on topics generated by the second-year students themselves.

EACH JUNIOR staffer is assigned a third-year "note editor" who is responsible for supervising, editing and general encouragement of his editees. Four or five drafts are submitted to this editor during the year. When the note editor thinks that the note is good enough to be presented to the editorial board, it enters "executive edit," where the article is torn apart once more. When the editorial board decides that the note is of publishable quality,

the citations are checked by other junior staff members, and the copy is proofread. Only then is the article published.

All three magazines claim that they will publish every student's note that survives this process. Many notes, however, are never completed, for reasons ranging from pre-emption of the topic by another article or sudden irrelevance as a result of a Supreme Court decision to lack of interest on the part of the student or lack of support on the part of the note editor. The journals, however, are placing greater emphasis on publishing student articles in recent years. The position of note editor at the Review is now full time, signalling a shift in editorial policy from that of publishing faculty articles almost exclusively.

The Law Review published eight times a year, the Journal of Law Reform three (with a special issue next spring: The Economy in Disarray—A Legal Perspective), and the International Law Yearbook once in the fall (this year's topic: Transnational Problems of Refugees).

Schwartz & Freeman

of Chicago, Illinois

will be interviewing all interested 2nd and 3rd year students for summer 1981 positions on

Thursday, October 23

Our firm consists of 24 attorneys with a quality practice in corporate and commercial law, taxation, real estate and business litigation. We urge you to review our resumes on file with the Placement Office for a more detailed description of our firm. Students unable to schedule an interview should contact us directly.

Students' interview request cards are due in the Placement Office on October 6.

Whyte & Hirschboeck, S.C.

of Milwaukee, Wisconsin

is pleased to announce that it will be interviewing interested 2nd and 3rd year students on

Thursday, October 23

for positions with the firm during summer, 1981

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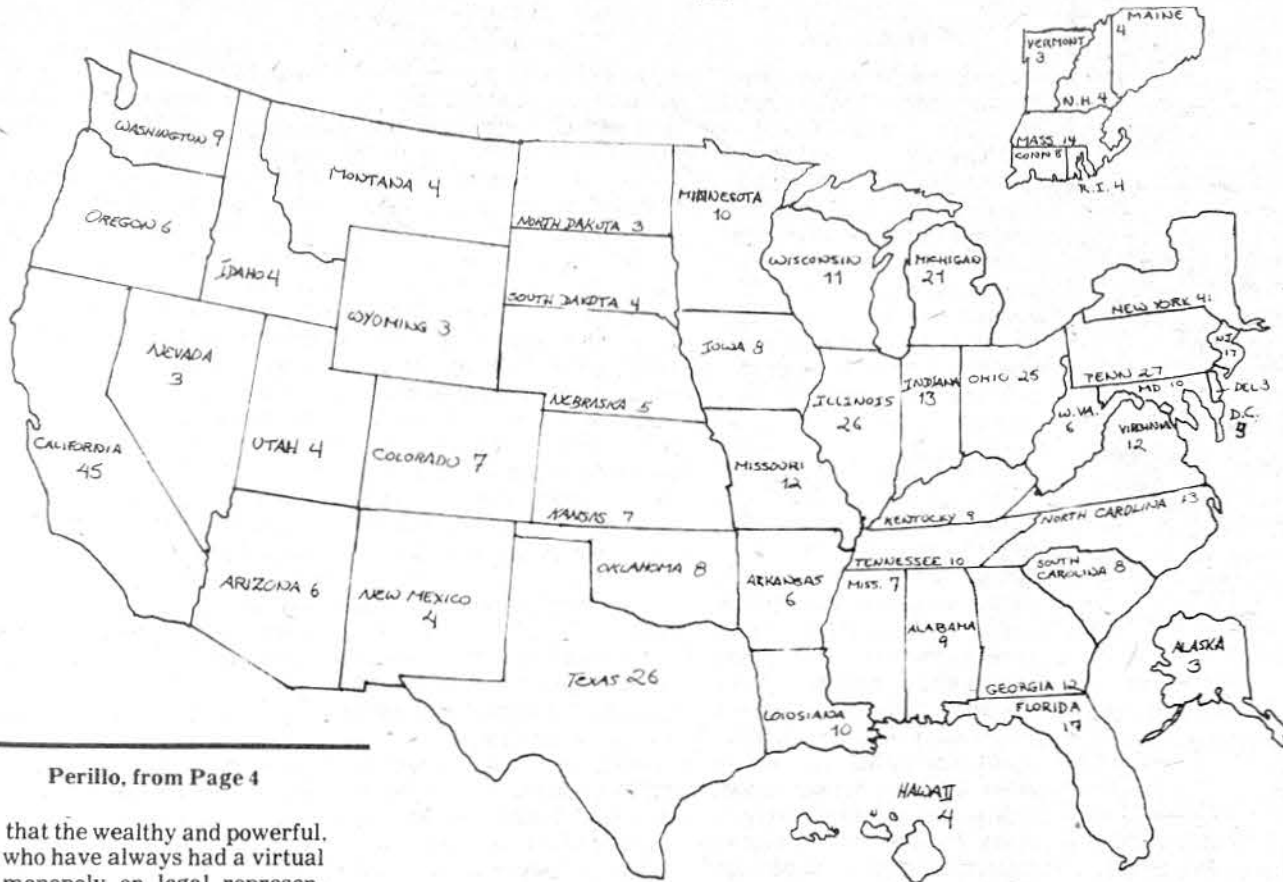
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Millard Fillmore's Ghost's Contest: Donkey, Elephant or Maverick?



By MARC ABRAMS
and MILLARD FILMORE

You've all been filling out the R.G.'s sports polls week after week, right? We... here's your chance to pick the next president, state by state... or to predict a House selection of our next bossman. Simply take this map, and place in each state (or near it) the initial—C, R or A—of the candidate you expect to carry it.

The person who correctly picks the winner in the highest number of states wins. In case of a tie, the electoral votes of the correctly chosen states will be tallied, with the person coming closest to the correct electoral total being the winner. The prize will be something standard, like a pitcher at your favorite bar. Don't hold your breath waiting for a color television (they weren't around in Fillmore's time anyway).

You've got plenty of time to think about this one. Fill it in, write your name and address in the corner, and return the map to Millard Fillmore's Ghost's literary agent, Marc Abrams, c/o the Lawyers Club, by Noon on Halloween.

Perillo, from Page 4

that the wealthy and powerful, who have always had a virtual monopoly on legal representation, still have it. The weak and oppressed, who have never been adequately represented, still are not.

But you tell me these are the people who have too many champions. Indeed, there is too much law and too many lawyers—ask anyone who is fortunate enough to have both on his side already.

Finally, it is important to point out why your thesis is necessarily conservative. Your speech undeniably contained a hortatory element: you sought to inspire more inner-directedness among law students by your examples. All these examples were profoundly conservative. Whether or not you intended it to be taken as such, many will interpret your speech as an exaltation of conservatism, not as an exaltation of principle. You have encouraged them to think they are doing something noble and brave by joining the miserable herd of conservative hacks who grow fat on the blood of the

helpless and oppressed in America.

You abhor our conformity to our client's desires. Recall that our legal system, of which you are a pillar, encourages us to identify strongly with our clients. Perhaps there are inner-directed lawyers somewhere who think they can always have everything their own way, can always pick their clients, and never feel a twinge of doubt or conscience in questionable cases. If so, I feel sorry for them, for they will perish when the icy blast of reality blows their way. The fact that we are all hired guns is not nearly as significant as the choice for whom to take up the gun. The question is not, "are you inner-directed?" but "which side are you on?" Great lawyers will find themselves with Darrow, beside the weak, the oppressed, the ones who toil.

Fred Perillo, a third year student at the Law School, is president of the Law School Chapter of the National Lawyers' Guild.

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Bose McKinney & Evans
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Bose McKinney & Evans of Indianapolis, Indiana will be interviewing second year students for clerkships during the summer of 1981 and third year students for associate positions with the firm commencing in the Spring of 1981, on:

Friday, October 24

Students' interview request cards are due in the Placement Office on September 29.

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OPEN LETTER

J. J.'s Address Rapped

By Fred Perillo

From conversations with my classmates I know that I am not alone in my dismay at your speech concerning the importance of being eccentric. I believe that your thesis is fundamentally mistaken; that it is based upon false premises; and that its ultimate effect and implication is not to encourage fidelity to principle among law students; but to foster conservatism.

If I understand your speech correctly, the lawyer who wants to exhibit inner-directedness must always swim against the tide; however, it would seem that one who is truly inner-directed would have to disregard the public sentiment rather than deliberately flout it. Instead your inner-directed lawyer changes his or her direction as often as the popular mood, only in the opposite direction. Many lawyers have devoted their lives to the battle for equality and freedom in America; now that their labors are at last coming to fruition, are they to turn about and dismantle their lives' work for the sake of being "eccentric."

In the first place, all of your examples of great "inner-directed" lawyers concern those who opposed the popular sentiment of their day. I do not see the analytical connection: surely you will admit that a lawyer can be inner-directed (in the sense that he or she is loyal to his or her own principles) and still fight for a popular cause. Not everyone who embraces contemporary progressive politics does so because it is popular.

If all you meant to do in your speech was to criticize those law students who

hypocritically espouse political views which they do not really hold simply because such beliefs are popular, perhaps I would not disagree with you. But you imply much more. The tenor of your speech suggests that one can only be "inner-directed" today by being a sexist in the face of the struggle for equal rights for women, by being a racist in the struggle for racial equality, by being a militarist in the struggle for peace. Let us name things by their real names: what you are advocating is not inner-direction, but rank conservatism.

You will object that you have praised Darrow, too, and that he was no conservative. I do not think you understand his motives. Darrow certainly was a great lawyer, and a radical socialist democrat. Why—because he was inner-directed? I think not. In fact, Darrow began his career as a labor lawyer on the management side! His early inner-directed ideals guided him toward the anti-labor conservatism then prevailing in the legal community. It was rather his concrete other-directed experiences in the labor struggles of his day which led him to become the great progressive lawyer you praise. If you have any doubts about this, see what Darrow said about himself when he was on trial for jury-tampering in 1912:

I have lived my life, and I have fought my battles, not against the weak and the poor—anybody can do that—but against power, against injustice, against oppression...

Darrow advocated progressive politics because he believed in, and was involved in, the workers' struggle of his

time. He would have despised, and did despise, all those lawyers who fight against equal rights, racial integration, the cause of labor, etc., whether their motives were inner-directed or otherwise. As Darrow knew, it is not so important where you get your ideals: what you believe is surely the point. The sincere union-buster, the inner-directed racist—these are not less dangerous than their other-directed cohorts.

A great lawyer cannot be against the ERA, the rights of minorities, the struggles of the working classes—"anybody can do that"—but he or she must struggle along with the oppressed.

In the second place, your thesis is based upon false premises. You have got the very strange notion that this law school is a hotbed of contemporary liberalism. Let me put your fears to rest. You look about yourself for that "honest" student who wants to keep women in chains, to set back 100 years the gains made by Black people, to help destroy political freedom with the return of a Nixon. You may not see him, but he is everywhere. He is the majority of this law school.

I do not know what to say except that you are quite out of touch with this student body if you think it is anything but overwhelmingly conservative.

The broader implications of your thesis are equally disturbing. You apparently believe the pendulum has swung far to the left in this country, and that progressive causes are now overrepresented while conservative causes are underrepresented. The truth is

Continued on Page 3

Safety in Numbers

The recent highly publicized murders of Ann Arbor women has focused attention on the need for increased security for area residents. In response to this need the Law School Student Senate has instituted an escort service designed to protect night patrons of the library. Coordinated by Senate Vice-President Andrea Beggs, the service organizes groups leaving from the library to various parts of the campus area.

Like programs employed by undergraduate dorms at the University and elsewhere have proven the validity of the old adage that there is safety in numbers. We applaud the LSSS for its quick and responsible reaction to the security problem.

Identification of a need and organization of a program to combat the evil are the first hurdles to solving a problem. The Senate has effectively met this challenge. However, the final hurdle—implementation of the program—demands involvement from the entire Law School population. We urge all members of the Law School community not only to participate in the program but to answer Ms. Beggs' call for ideas and help in making the program a success.

Where are you?

Late last school year the Law School Student Senate took on the thankless task of divining up a large portion of its monies among the various student organizations in the Law School. Like all budgets, there wasn't enough money available to meet every organization's "needs," and as a result almost everyone received a little less than they asked for.

At that time many organizations sent representatives to the Senate to plead for more money to carry out their projects. They told the Senate how important their projects were, how they needed to publicize activities and how they needed to draw more students into the organization—all which required more money. We believed the organizations back in April, today we are beginning to wonder.

Because the Senate simply did not have the money to meet all these requests it encouraged organizations to publicize their activities and make their pitches through the Res Gestae. To this end we set aside a page exclusively for organizations to communicate with the student body. But four deadlines have come and gone and we have heard barely a whisper. Only one organization has submitted an article which told anything more than the time and place of their meetings.

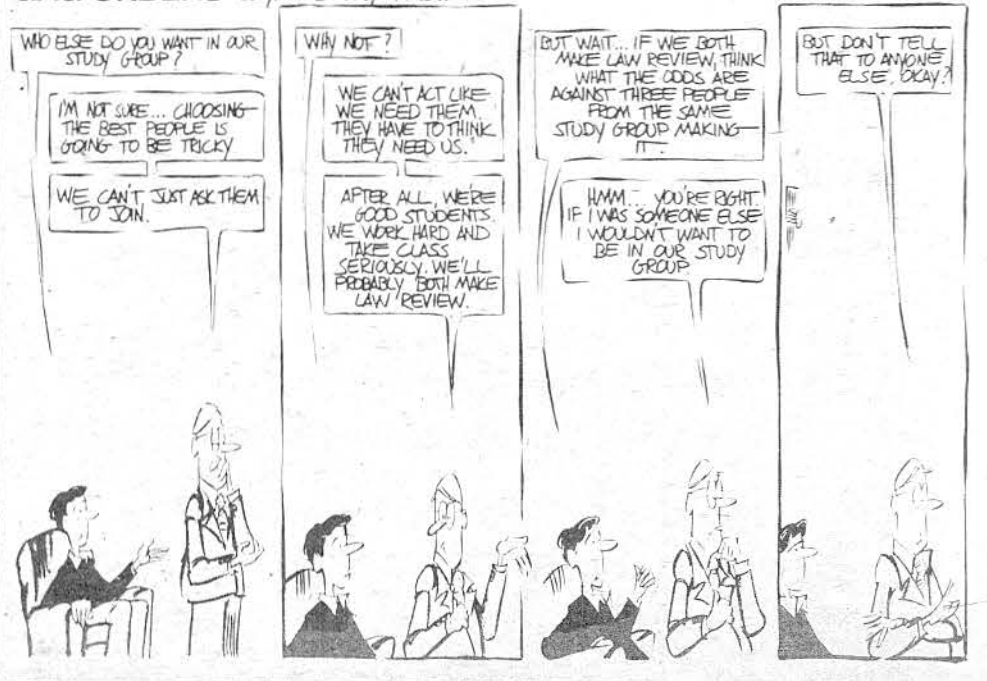
We cannot help but wonder what happened to all the passion in the voices of organization representatives. We can understand it when George Kell loses his sincerity after a long season with the Tigers. But our 'season' is just beginning. The time to motivate people is now.

Where are your organizations?

GAG ORDERS

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KELLY AND LEVINE



The Debates: Sham or Substance?

By Joe Genereux

The first—and perhaps only—presidential debate of the 1980 election has come and gone. As in other years, the debate was popular with voters who, it is said, look to such face-to-face encounters as a highlight of the quadrennial shuffle toward Washington. Post-debate analyses, using opinion surveys and rhetorical digs, are still measuring the impact on the fortunes of John Anderson, Ronald Reagan, and Jimmy Carter.

But is there merit in the debates structured and conducted in the manner we've seen?

For my part, the value of contemporary presidential debates may be overplayed. They misuse scarce quantities of time and energy needed for serious political consideration, and they undermine a weakened democratic process already ignored by a disaffected electorate.

Undoubtedly, politicians find advantages in participating in televised debates. For one thing, public attention is increased. The day following his first debate with Richard Nixon, John Kennedy encountered 30,000 people in Ohio, a ten-fold increase over previous crowds. The lesson was affirmed this year when Mr. Anderson was able to afford a charter plane because of the dramatic increase in the number of airfare-paying journalists wanting to cover his campaign after his debate with Mr. Reagan. And neither Mr. Kennedy nor Mr. Anderson were clear winners.

Another sought-after advantage is the "Marlboro Man" image, especially

noticeable when one's opponent refuses to debate. Whether Mr. Carter's refusal serves Mr. Reagan and Mr. Anderson more than the refusals of Mr. Nixon and Lyndon Johnson served Barry Goldwater and George McGovern remains to be seen.

Finally, contemporary presidential debates use the same channels of communication that campaign advertising will use. Theoretically, at least, debates grab public attention through the media which, once heightened, can be expected to stay tuned for the slick 30- and 60-second spots to follow. Since advertising packages consume 65-75 percent of modern campaign budgets—\$20 million in the Carter and Reagan campaigns this year—any enhancement of their impact is welcome.

However, there are drawbacks. Leading candidates—especially incumbents—are reluctant to join weak rivals on platforms giving equal stature. Mr. Carter, in preferring to weather charges of arrogance and cowardice, joins a long line of predecessors. A more common concern is that the vulnerability in which opponents are placed cuts both ways. Every candidate is threatened by the unexpected, unanswerable question or the ill-considered remark: Gerald Ford's debate acquiescence in East European political arrangements is a classic example. As an aide to Mr. Reagan said recently, "You're rolling the dice every time you go out."

In order to maximize the advantages and minimize the dangers, candidates have conditioned debate acceptances on satisfactory pre-debate negotiations. These negotiations can even aid the

non-debator who can make a show of good faith to mask a determined decision not to debate. For active participants, the negotiations fix all kinds of elements, from the presence of empty chairs to the background hue. Most importantly, they fix the format of statements, questions, and answers. The result is usually as safe as the wariest candidate can convince a sponsoring organization to accept.

This process can produce some situations so stilted that answers need not address questions. The other night, columnist Daniel Greenberg listened to Mr. Reagan's act-of-faith in oil company output in response to his question about environmental preservation and sacrifice in the 1980s. Visibly chafing, Mr. Greenberg could not interrupt nor follow up his question under the agreed format. As Mencken turned in his grave, Greenberg had the inauspicious role of repeating word-for-word the same question to Mr. Anderson, who came only marginally closer to addressing.

The press, after all, heralds debates as opportunities to inject spontaneity into campaigns increasingly dulled by slick media packaging. Debates, we are told, inform the electorate by baring the candidates' policy positions and character traits via the withering questioning of selected media poobahs and sagacious follow-up analysis. But this high-sounding theory is belied by the reality of previous debates.

So, forever creative, the press shift gears. The heralded political exchange becomes a spectacle more like a Lion-Dolphins game than a Lincoln-Douglas debate. The distance between the podiums and the form of intercandidate address are analyzed for meaning like the impact of astroturf and the 54 defense. After the debate, success is measured not in terms of substantive policy criteria but in numbers of misstatements and rhetorical flourishes—the fumbles and touch-downs of the debate league. There is color commentary too—Mr. Anderson's presidential demeanor weighed against his being too "hot" for the "cool" TV medium, Mr. Reagan's soothing manner against his vague reasoning. The press even feels compelled to announce a winner. For this, public opinion polls are examined, relieving the media of using its own initiative. Polls following the recent debate were inconclusive: radio listeners liked Mr. Anderson, TV viewers favored Mr. Reagan, etc. The media's solution? If you can't pick a winner, pick a loser. And since Mr. Carter wasn't even there, pick him; he couldn't possibly have won, right?

The analogy may be overdrawn, and the implicit criticism of the press too harsh. The press is not entirely responsible for the human frailties of the candidates or the submissive compliance of the sponsoring organizations. But the fact and extent of press participation lend an aura of legitimacy to these affairs, and their reports provide the basis on which voter decisions are made.

The voters, it is said, want presidential debates in order to focus on the candidates and issues that 23 previous months of campaigning have blurred. But where were these voters the other night? While three networks covered the Reagan-Anderson debate live, 55 percent of the views watched a movie on the fourth. Of those who did watch, most were already supporting Mr.

Reagan or Mr. Anderson: a New York Times/CBS poll showed 60 percent or Mr. Carter's supporters did not tune in. And the impact on voter preferences, according to the polls, was inconclusive or at best, negligible.

Whatever underlying problems these post-debate surveys may indicate, they do show that the voters did not take the first debate as seriously as the candidates and press expected. Perhaps the public has seen through the claims by candidates and press to view modern debates as they really are: mere spectacles for gawking, cheering one's favorites, and anticipating the thrill of watching someone's foot jammed into his larynx. If these expectations aren't satisfied, voters won't tune in, and even if they do, they will be little affected by what they see. If they matter so little, why can't we do without them?

Is a quick-on-the-draw response in a highly charged atmosphere an accurate indicator of presidential decision-making powers, or is it in fact dangerously misleading? Do press evaluations of debate negotiations, formats and public reactions contribute anything of substance to public understanding of the issues? Or should voters, in the absence of anything substantive to consider, make their voting decision turn on the mellifluous character of a human voice, or the ill-chosen word that a moment's honest reflection would discard? Debates may have hidden virtues, but on balance, they fail to carry the burden of their vices.

If the candidates really wanted to reveal their political views and presidential characters, they might agree to sit down and seriously discuss issues with each other.

Imagine this: a comfortable room, overstuffed sofas, snifters of brandy, and the like. The candidates, with a couple of advisors each, discuss just one question. For the foreign policy program, perhaps a question posed by Lewis Lapham, editor of *Harper's*: "How will the candidate's foreign policy operate in a world where his predecessors, in peacetime, have ordered or acquiesced in plans to assassinate individuals heading governments in Cuba and Chile?" Or, on an "All U.S. Economy" show, a question posed by Lester Thurow, of MIT: "What sacred cows will be gored to produce funds for the dramatic investment necessary to increase productivity, given the fact that even the complete elimination of welfare spending would produce just 15 percent of the funds needed?"

These kinds of questions will, in one form or other, confront the next president. They will not be dismissed by a 30-second "sound-bite" then, and the voters deserve more than that now.

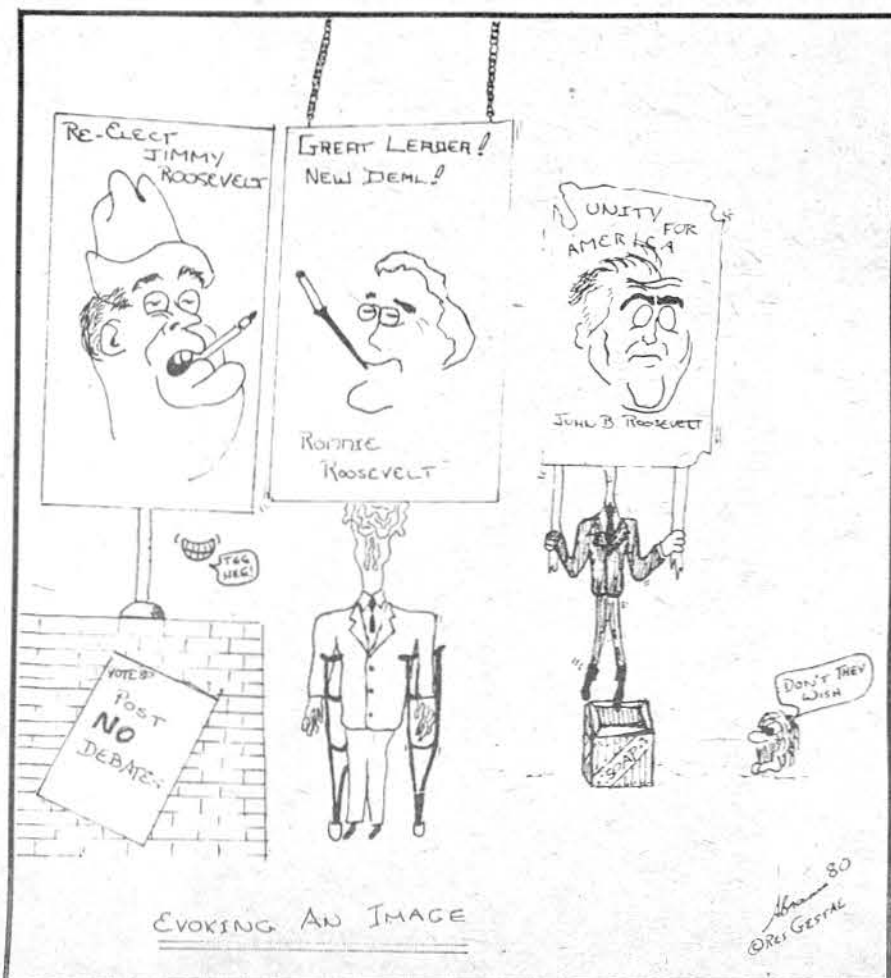
But instead, we have the perverse spectacle of modern presidential debates where candidates under klieg lights generate useless heat and enlighten us but little. The press squanders its crucial role and the voters disregard these meager offerings and base their choice on irrational criteria. It is not only the candidates who are rolling the dice in these debates; in a sense, the whole political process gambles. The stakes are awfully high. Do you like the odds?

Joe Genereux, whose political experience includes directing Senator Dick Clark's 1976 campaign, is in his second year at the Law School.

Stand Up! Be Counted!

Write for the Res Gestae editorial and opinion pages. The Res Gestae's opinions are the opinions of the law school student body. Let's have your voice heard! Any issue, be it national, state, local, or—do we dare!—even

about law school life, will be aired in these pages. Get yourself some air time, in the pages of the Res Gestae! Contact Marc Abrams 764-2014, or leave a note for me at the Lawyers Club.



The Dilemma of Gender

By JERRY PEREZ

Ah, the rigors of being ahead of one's time.

Sybylla Melvyn finds herself a freckled, frizzy-headed tomboy in an era of elegantly-coiffed maidens, a writer during a time when women with the gift of language taught spelling. She deftly resists the proposals of wealthy men in an age when many women considered spinsterhood an exorbitant price to pay for independence. And "My Brilliant Career" is the finely-etched, beautifully textured account of her rebellion against feminine conventions in turn-of-the-century Australia.

Much of the film accounts Sybylla's life in the home of her dowager grandmother, where it is hoped that her brash independence and "unrealistic" ambitions might be tempered by the lush, Edenesque surroundings. And while life at her grandmother's transforms Sybylla (Judy Davis) to some extent, be thankful that "My Brilliant Career" is no Eliza Doolittle story. Sybylla remains essentially the same strong-willed woman right up until the movie's enigmatic final frame. The change in Sybylla is far subtler, the nuance which separates career from vocation, the difference between self-centered and self-certain.

Several factors contribute to Sybylla's change of heart. The bad turn

of fortune which removes her from the comforts of her grandmother's house. The ensuing position she takes as governess for the dirty, unruly children of a family creditor. The long-distance relationship she maintains with Harry Beecham (Sam Neill), the man whom she loves but cannot bring herself to marry. These, in fact, are the experiences from which Sybylla learns "that there are other people in the world besides herself," as her grandmother puts it. Indeed, these pains and triumphs are what transform Sybylla's career from self-serving to "brilliant," eventually providing her with feelings and situations worth writing about.

Underneath the movie's chivalry and gentility lies, of all things, a basic respect for the relationship between men and women. Harry is both enchanted and dismayed by Sybylla's independence, the result of which is an indefinitely postponed wedding day. His love for her, however, is as unconditional as Sybylla's decision to become a writer. "My Brilliant Career," however, is no comedy of manners, no frilly-macho remembrance of the days in which "men were men and women were women." Yet it remains a film of uncomplicated sensibilities, one in which the differences between the sexes are everything and nothing, the dilemma of gender a charming, wonderful problem.

Outlaws in Cornfields

By MITCH DUNITZ

Steve McQueen's latest effort "The Hunter," never quite gets off the ground.

The year is 1980 and McQueen plays Ralph "Papa" Thorson, a modern-day bounty hunter. Gone are the machismo days of "The Cincinnati Kid" and "Bullitt." McQueen is visibly older now and like many stars his age is trying to adjust to the years by changing the characters he portrays.

Papa Thorson lives in a house with Doty, his pregnant girlfriend (Kathryn Harrold) and an assortment of pals. He risks his life in pursuit of fleeing felons, earning a couple thousand dollars every time he's on the job.

The audience never really learns what makes Thorson tick. For this we have screenwriters Ted Leighton and Peter Hyams to thank. McQueen can hardly be called a rugged individualist as he was in so many earlier films. This McQueen hates new things, is terrified of becoming a father, and believe it or not, shuns playing poker with the boys. Thorson is so wrapped up in his own world the audience slowly becomes indifferent.

If McQueen's portrayal is hard to swallow, one only needs to look at the rest of the cast to be thrown into a state of total disbelief.

Tommy Price (Levar Burton of "Roots" and "One in a Million," "The Ron Leflore Story") is captured by Thorson in the opening minutes of the film and after being turned over to police, goes to work for our troubled hero. By the end of the film they are practically best friends.

One of the more glaring problems manifesting itself throughout "The

Hunter" is the editing of Robert Wolfe. The chase scenes are too long and somewhat boring.

If director Buzz Kulik had spent more time letting the characters develop and less time watching McQueen chast dynamite-throwing outlaws in cornfields the movie might have been able to sustain itself. What we have instead is something that taxes credulity.

At Long Last Fosse

By Kathy Ryan

The dance and mime extravaganza "Dancin'" opens tonight at the Power Center and runs throughout the weekend. The combination ballet/vaudeville which had played on Broadway since 1977 is the creation of choreographer extraordinaire Bob Fosse.

Fosse, whose career was recently recounted in "All That Jazz," mixes the ballet with informal dances (tap, soft shoe, song and dance acts) and a variety of vocals, including the work of George M. Cohan, Johan Sebastian Bach and Cat Stevens, to create the long running spectacle. The combination of contemporary and classical works with, in the words of Jack Kroll of Newsweek, "power, grace and sheer delight."

The career of director-choreographer Fosse, from his years as a teenage dancer in a chorus to his first show stopper "Steam Heat" from "Pajama Game," made him an iconoclast in the world of dance. His hits—"Sweet Charity," "Pippin," "Damn Yankees," "How to Succeed in Business Without Really Trying"—trace the impressive career of a successful iconoclast.

"Dancin'" opens tonight at 8 and runs for three additional performances, Saturday at 8 p.m. and Sunday at 2 p.m. and 8 p.m. The performance marks the opening of the University of Michigan Professional Theatre Program's Best of Broadway Series for 1980-1981. The series continues with performances of "Mr. R. & Mr. H." in October, "The Elephant Man" in January and "Mummenschanz" in March.

UNIVERSITY MUSICAL SOCIETY

Anthony di Bonaventura
Pianist
Saturday, Oct. 18

"His exceptional ability produces performances of great beauty and character." *New York Times*. "A performance so pure and unaffected it stunned by its sheer simplicity, blessed with spiritual honesty." *Jerusalem Post*. "A combination of technique, soul-searching sensitivity, beauty and single-minded dedication to perfection." *Def. Magyarorszag*, Hungary. Saturday, 8:30.

Rackham Auditorium

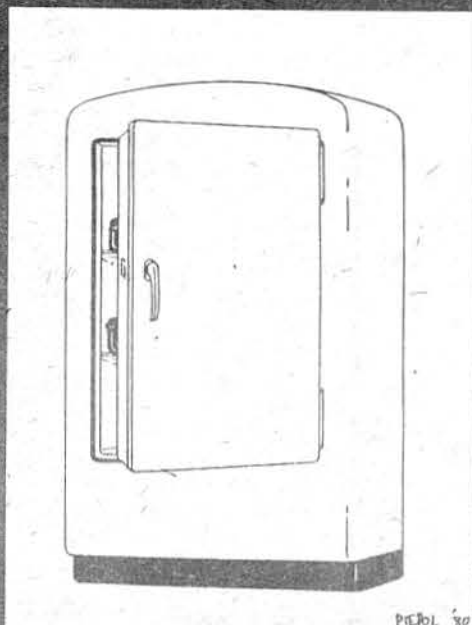
The orchestra is one of "genuine virtuosity and accomplishment" (*Los Angeles Times*), as it has gained an international reputation following many successful tours abroad. Another one of the most sought after conductors of his generation, Andrew Davis has been Music Director since 1975. Tuesday, 8:30. Hill Auditorium

Toronto Symphony Orchestra
Tuesday, Oct. 21

Hill Auditorium, Power Center and Rackham Auditorium are on the main campus of The University of Michigan. Tickets at Burton Tower, Ann Arbor, Michigan 48109. Weekdays 9-4:30, Sat. 9-12. Phone (313) 665-3717.

* Seating limited for some concerts.

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Gold Nuggets

The Law Gold track team put on a strong showing before finally finishing second by six points to the DSD A team in the graduate track and field meet.

Gold actually won more events than any other team but was crippled in the end by a lack of depth as the less talented yet larger dental team managed more top 5 finishes. The individual stars for Gold were many: Mark Bowman placed second in the 100 meter dash, Fred Carey and Brian McCann finished first and third respectively in the 800 meter run, Matt Wynekan won the 1500 meter run, Peter Maasen triumphed in both the 60 meter high hurdles and the 110 meter low hurdles, George Schisler took a fourth in the shotput, and the 4 x 400 meter relay team of Mark Bowman, Fred

Carey, Tom Geelhoed and Mike Hoses literally ran away from the rest of the field.

ACKNOWLEDGEMENT IS also due other team members Joe Chipparone, Jon Lauer, and Cliff Douglas (whose pulled hamstring prevented him from winning at least two events and wrapping-up a big Wheaties endorsement deal)

... We need people to run in the grad Cross Country meet on Tuesday, Oct. 7 at 5:15 p.m. Individuals or whole teams can sign-up on the sports bulletin board by Oct. 6. To stimulate participation, we are going to tie the Town Schreier to the back of a pickup truck and drag him across the Cross Country course ten feet in front of the Law Review staff.

Sports Results

SOFTBALL:

Running Ball Club	6	Nu Sigma Nu	5
Ambulance Chasers	2	DSD "B"	12
Fred Vader	4	Pros & Cons	10
Empire Strikes Out	1	DSD "A"	22
Law Senators	11	Agent Orange	5
Blast	10	MBA Blue	6
Psycho Killers	19	Murphy's Law	5
Natty Dread	9	Law Wackers	10

Law Nose	4	DSD "D"	16
Torts Illustrated	5	Reasonable Men	4

Notice

• The mini-marathon is scheduled for October 9. All interested runners are encouraged to attend for your own good health and valuable prizes. Check the Sports board underneath the library for further notices.

Cook, Wetzel & Egan, Ltd.

of Chicago, Illinois

will be interviewing all interested 2nd and 3rd year students on

Friday, October 24

Our firm consists of nine attorneys specializing in the patent, trademark and copyright field. Our practice is worldwide.

Students' interview request cards are due in the Placement Office on October 6.

Sports Poll

Circle the teams who will win after the scores are adjusted. RICK'S AMERICAN CAFE will provide the winner with a free pitcher of frosty cold beer in recognition of this outstanding achievement. Last week's winner was George Vincent, by the tiebreaker, with the outstanding score of 13-3.

Alabama	at	Kentucky (16½)	Arizona (1½)	at	Iowa
Bowling Green (2½)	at	Western Michigan	Maryland (6½)	at	Pittsburgh
California (10½)	at	Michigan	Miami, Ohio (5½)	at	Purdue
Toledo (4½)	at	Central Michigan	Notre Dame	at	Michigan St. (11½)
Oklahoma	at	Colorado (28½)	Northwestern (13½)	at	Minnesota
Columbia	at	Pennsylvania (½)	Penn State (1½)	at	Missouri
Florida State (2½)	at	Nebraska	N.C. State (3½)	at	South Carolina
Duke (8½)	at	Indiana	Ohio State	at	UCLA (1½)

Name _____

Address _____

Tie Breaker

How many total points will be scored in the Ohio State/UCLA game? _____

Election Notice

Elections will be held Wednesday, October 22 for first-year representative seats on the Law School Student Senate, and to permanently fill a Lawyers Club Board of Governors seat. The Senate is Law School's student self-governance body.

One representative will be elected by and from each first-year section, to serve until the current Senate term expires in March 1981. The only qualifications for a first-year Senate seat are membership in the section and a willingness to work. To get her name on the ballot, a candidate must submit a petition with twenty signatures of students in her section.

Nominating petitions for all five positions are available now at the Senate office, second floor Hutchins Hall, along with a candidates' information sheet. Petitions must be returned, signed and dated by the circulator, no later than 5:00 PM Friday, October 10. A student may sign more than one petition for any given position.

The Elections Committee also needs volunteers to staff the polls and count votes on Election Wednesday, October 22. Anyone interested, or a prospective candidate with questions, should contact Elections Chairman Kirk Messmer, 1000 Packard, 663-7762, Locker no. 493.

—Kirk Messmer

Farella, Braun & Martel

of San Francisco, California

will be interviewing second and third year students interested in summer and permanent associate positions on

Monday and Tuesday, October 20 and 21

Our firm consists of 43 attorneys practicing business law and civil litigation. Our practice combines intellectually vigorous and imaginative work with a warm office atmosphere and a sound program for training associates. Our clients include individuals and companies engaged in California, U.S. and international business.

Students' interview request cards are due in the Placement Office on October 6.

Black, Kendall, Tremaine, Boothe & Higgins

of Portland, Oregon

is pleased to announce that it will be interviewing interested 2nd and 3rd year students on

Monday, October 20

for positions with the firm during summer, 1981

Students' interview request cards are due in the Placement Office on October 6.

Paul Hastings, Janofsky & Walker

of Los Angeles, California
Orange County, California
Santa Monica, California
Washington, D.C.
Atlanta, Georgia

We have approximately 115 attorneys and are seeking 23 permanent associates and 25 summer associates to begin work during 1981.

The firm is engaged in a full service practice including corporate, securities, real estate, tax litigation and labor law.

We will be interviewing interested 2nd and 3rd year students on

Tuesday and Wednesday, October 21-22

Students' interview request cards are due in the Placement Office on October 6.

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notices

WOMEN'S LAW STUDENTS' ASSOCIATION luncheon—Friday, October 3 at 12:00 in the Lawyers Club Lounge. Especially for first year students. Discussion on interviewing and resume writing by 2nd and 3rd year students.

A group is forming for lesbians and gay men in the law school. Law students, faculty, and staff are very welcome. The group will meet on Wednesday, October 8th, at 8:00 p.m. For more information, call 995-9292 or 763-4186. Sponsored by the National Lawyers Guild.

ORGANIZATIONS—The Treasurer will not pay any student reimbursement requests from the last fiscal year after October 31.

MR. STEPHEN YOKICN, Vice-President, United Automobile Workers, will speak Monday, October 6, 1980 at 4:00 p.m. in room 132 Hutchins Hall on "What Is at Stake in the 1980 Elections."

Presented by the Law School Student Senate Speakers Committee

INTERNATIONAL LAW CAREER FORUM—OCTOBER 6

Sponsored by the International Law Society, the forum will feature speakers from an international law firm, a multinational corporation, and the State Department. Sherry at 5:00 in L. C. Faculty Dining Rm., dinner at 5:30, and forum at 6:30 in Rm. 116 of Hutchins Hall.

A new organization has formed at the law school, the **CIVIL LIBERTIES VOLUNTEERS**. Our purpose is to assist in Michigan with civil liberties litigation and legislation. We shall also sponsor debates and discussions in the law school on civil liberties topics. Our advisor is Professor Blasi.

The group started informally in 1978 when fifteen first-year students helped the ACLU analyze FBI documents concerning the death of Viola Liuzzo. In 1965, Mrs. Liuzzo was shot and killed by Klansmen as she was ferrying civil rights workers from Selma to Montgomery. An FBI informant, Garry Rowe, was in the Klan car and he testified against them. In 1975, information began to be turned up that Rowe had advance knowledge of the murder, could have stopped it but did not, and even that Rowe himself may have fired the bullets that killed her. Mrs. Liuzzo's family, who lives in Detroit, is now suing the FBI for the wrongful death of their mother.

The Liuzzo case is only one of many exciting projects that the Volunteers will be working on. The projects are described on a handout in front of Room 100.

A special note to first year students, these projects offer a chance to experience the real world of law with a commitment of only a few hours a week.

—Peter Silverman

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665-4518

Proskauer Rose Goetz & Mendelsohn

of New York, New York

is pleased to announce that it will be interviewing interested 2nd and 3rd year students on

Thursday, October 23
for positions with the firm during summer, 1981

Students' interview request cards are due in the Placement Office on October 6

Course Outline Exchange Program

sponsored by the Law School Student Senate

The Student Senate is sponsoring this program to facilitate outline exchange between students. If you are interested in participating circle the classes for which you have outlines that you are willing to share and place a check mark next to those classes for which you desire an outline. The Senate will compile a master list of those students interested in exchanging outlines which will be available in the Senate office. All exchanges are to be arranged between students on a voluntary basis.

Family Law—Chambers
Fed. Antitrust Law—Kauper
International Law—Jackson
Intl. Trade & Econ Relations—Jackson
American Law for Foreign Students—Gray
Labor Rel. Law in Public Sector—St. Antoine
Professional Responsibility—Gilmore
Public Control of Land Use—Cunningham
Psych. of Litigation—Lempert
First Amendment—Estep
Estate & Gift Taxation—Waggoner
Econ of Public Policy Analysis—Rubinfeld
Enterprise Organization—Conrad
Enterprise Organization—Vining
Civ Pro—Cooper
Civ Pro—Reed
Contracts—Pooley
Contracts—Gray
Crim Law—Westen
Crim Law—F. Allen
Crim Law—Kamisar
Property—Cunningham
Property—Kauper
Property—French
Property—Smith
Torts—Plant

Torts—Cooperrider
Torts—Whitman
Accounting—Goss
Ad Law—Payton
Admiralty—Proffitt
Anglo Am. Legal Hist.—Green
Antitrust—Steiner
Banking Law—White
Comm Trans—Martin
Comm Trans—White
Common Market Law—Stein
Intro to Con Law—Estep
Labor Law—St. Antoine
Evidence—Lempert
Evidence—Reed
Conflict of Law—Martin
Con Law—Blasi/Regan
Consumer Credit Trans—Kennedy
Crim Prac—Fawcett
Crim Just—Kamisar
Debt & Cred—Kennedy
Tax I—Kahn
Tax
Tax I—Rosenzweig
Tax II—Wright
Tax II—Joiner
Trail Practice—Browder
T & E II—French
T & E II—Browder
Water Law—Sax
Women and the Law

Return this from to the Senate Office

Baker & Botts

Baker & Botts of Houston, Texas is pleased to announce that it will be interviewing interested second and third year students on

Wednesday, October 22

for both summer and permanent positions.

Students' interview request cards are due in the Placement Office on October 6

U.A.C. Viewpoint Lectures Presents:

**Shana Alexander
James Kilpatrick**
from 60 Minutes,

Point/Counterpoint

In a Presidential Election Debate

October 7

8:00pm

Hill Auditorium

Tickets \$3.00 at Ticket Central
Call 763-1100 for more information

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